



Natural Resources Conservation Service
6013 Lakeside Blvd.
Indianapolis, IN 46278

December 19, 2006

INDIANA BULLETIN NO. 300-7-9

SUBJECT: LTP – Process for Requesting EQIP Program Waivers for Fiscal
Year 2007 EQIP Applications

Purpose: To provide guidance on requesting waivers to start practices prior to contract approval for fiscal year 2007 EQIP applications.

Expiration Date: September 30, 2007

Background: Practices started or completed prior to program application are not eligible for cost-share or incentive payments. Starting a practice before the contract is approved by NRCS causes the applicant to be ineligible for EQIP financial assistance for that practice, unless a waiver has been granted prior to starting the practice. Applicants may request the State Conservationist grant a waiver in special cases and for meritorious reasons, if the practice has not been started at the time of application for the waiver.

Meritorious reasons may include:

- Alleviation of imminent and significant environmental problems
- Prevention of endangerment to life or property
- Adverse weather conditions

Once an applicant is eligible for a waiver and signs a Waiver Request, the District Conservationist shall immediately forward the Waiver Request to the Area Conservationist regardless of ranking score. Upon review and concurrence, the Area Conservationist will forward the Waiver Request to the Assistant State Conservationist-Programs for action by the State Conservationist.

If the State Conservationist grants the waiver the applicant will be notified directly by the state office, with a copy to the District Conservationist. The waiver will expire at the end of the fiscal year in which it is granted.

The producer must not start the practice until they have received the waiver letter or the practice will not be eligible for payment if the contract is funded. When a practice is installed under the waiver provisions a copy of the waiver letter should be included with the NRCS-CPA-1245 and payment checklist when submitted for payment.

For 313-Waste Storage Facility and 359-Waste Treatment Lagoon the Comprehensive Nutrient Management Plan (CNMP) must be completed prior to starting construction of the 313 or 359.

DIST: 0

Waivers will not be granted for CNMPs. Producers needing a CNMP should apply for the priority CNMP-only through the 2007 EQIP program. Waivers will not be granted for practices being installed under the Indiana 2007 EQIP Environmental Emergencies or CNMP-only provisions.

Attached to this memo are the following documents:

- Sample copy of State Conservationist waiver approval letter
- EQIP Waiver Request form

The new EQIP Waiver Request form, dated 12/19/06, is the only acceptable form for waiver requests. Action will not be taken if previous versions of waiver requests are submitted.

Note that the waiver request form requires the District Conservationist to ensure the following items are completed:

- Practice(s) are a part of an approved conservation plan
- Application has been entered into ProTracts
- Application has been ranked in ProTracts
- Engineering plans have been reviewed and approved

If you have questions concerning this memo, please contact Harold Thompson at 317-290-3200, ext. 320 or Jim Dunaway at ext. 334.

/s/

JANE E. HARDISTY
State Conservationist

Attachments